APPENDIX

ACT No. 69, APPROVED SEPTEMBER 3, 1910; LAWS OF PUERTO RICO (1910), SPECIAL SESSION, pp. 25–28.

SECTION 1.—That the title to the following tract of land, which under the provisions of the Joint Resolution entitled "Joint Resolution to authorize the Commissioner of the Interior to sell to the municipality of San Juan, certain lands lying to the east of the city of San Juan, at the place known as Puerta de Tierra, belonging to The People of Porto Rico, and prescribing the conditions thereof, and for other purposes," approved March 10, 1910, was conveyed to the municipality of San Juan by the Commissioner of the Interior, be divested out of the said municipality and be revested in the People of Porto Rico, * * *.

* * * * *

SECTION 7.—That for the purpose of cooperating in the construction and maintenance in the city of San Juan of a casino which may fill the social needs and promote general culture, the Commissioner of the Interior is hereby authorized and instructed to sell to the association Casino de Puerto Rico, for the price of one dollar ($1.00) and by virtue of other considerations, a parcel of land belonging to The People of Porto Rico, comprised in the official map of the office of the Commissioner of the Interior, dated November, 1909, and whose description is as follows:

A parcel of land located on the eastern side of the city of San Juan, consisting of five thousand six hundred and ninety-six (5,696) square meters and thirty (30) centimeters, bounded on the north and east by lands of the Military Reservation; on the south by Road No. 1, and on the west by the street situated on the eastern side of the Plaza de Colon.

SECTION 8.—That the Commissioner of the Interior shall proceed to execute the proper deed transferring the ownership of the land so sold to the association Casino de Puerto Rico; *Provided,* That the construction of the casino building shall be carried out within a period of time which shall not exceed one year and a half from the date of the approval of this Act.

SECTION 9.—The terms, conditions and obligations of this Act shall apply to any purchaser or successor of such grantee, whether by voluntary act or by judicial procedure.

SECTION 10.—That the Joint Resolution entitled * * *, approved March 10, 1910, and all laws, or parts of laws, in conflict herewith are hereby repealed.

SECTION 11.—That this Act shall take effect from and after its approval.

ACT No. 2, APPROVED FEBRUARY 21, 1912, LAWS OF PUERTO RICO (1912), pp. 38–39.

SECTION 1.—That Sections 7 and 8 of an Act entitled "An Act to regulate the reconveyance by the Municipality of San Juan of certain lands conveyed to it under the provisions of a Joint Resolution entitled 'Joint Resolution to authorize

the Commissioner of the Interior to sell to the Municipality of San Juan, certain lands lying to the east of the city of San Juan, at the place known as 'Puerta de Tierra,' belonging to The People of Porto Rico; and prescribing the conditions thereof, and for other purposes,' " approved September 3, 1910, be amended so as to read as follows:

SECTION 7.—The Commissioner of the Interior is hereby authorized and empowered to sell and transfer, and he is hereby directed to sell and transfer, to the association or corporation "Casino de Puerto Rico," for the nominal price of one dollar ($1.00), and by virtue of other considerations, a parcel of land containing not less than five thousand six hundred and ninety-six square meters and thirty square centimeters (5,696.30 square meters), bounded on the north and east by lands pertaining to the Military Reservation, on the south by road No. 1 and on the west by the street that runs on the east side of the Plaza Colon, belonging to The People of Porto Rico, comprised in the official map of the office of the Commissioner of the Interior, dated November, 1909.

SECTION 8.—The Commissioner of the Interior shall proceed to execute the proper deed transferring the ownership of the land so sold to the association Casino de Puerto Rico": *Provided,* That the association or corporation "Casino de Puerto Rico" shall erect thereon a building, the cost of which, fully equipped, shall not be less than sixty thousand dollars ($60,000), and that said building shall be maintained for the purposes of the association for a period of at

least ten (10) years, and should this not be the case, the title of ownership of such land shall revert to The People of Porto Rico.

SECTION 2.—Provided that the construction of the Casino building shall be carried out within a period of time which shall not exceed three years from the date of the approval of this Act.

* * * * *

JOINT RESOLUTION No. 27, APPROVED APRIL 20, 1936; LAWS OF PUERTO RICO (1936), pp. 1194–1198.

JOINT RESOLUTION

To authorize the Commissioner of the Interior and the Treasurer of Puerto Rico to enter into negotiations with the entities *Casino de Puerto Rico* and *Banco Territorial y Agricola,* in liquidation, for the reimbursement of the funds of The People of Puerto Rico in the Banco Territorial y Agricola, in liquidation. At the time of the closing of its operations, and for the acquisition of the reinforced-concrete building constructed by the first-named institution for a bowling alley, to be used for offices of the Insular Government; to appropriate the sum of thirty-six thousand ($36,000) dollars, and for other purposes.

Whereas, Some time ago the Casino de Puerto Rico borrowed money from the Banco Territorial y Agricola, for the purpose, among others, of constructing a reinforced-concrete building to be used for a bowling alley, constituting a mortgage on its property in the sum of forty thousand (40,000) dollars;

Whereas, The Casino de Puerto Rico has paid the sum of four thousand (4,000) dollars, reducing the principal debt to thirty-six thousand (36,000) dollars, but has been unable to continue its payments because said social center has been affected by the economic crisis prevailing in the country;

Whereas, Mortgage notes secured by mortgages, among which is included the mortgage of the Casino de Puerto Rico, were given by the Banco Territorial y Agricola to the Treasurer of Puerto Rico as collateral security, and are still in the possession of the said Treasurer;

Whereas, The Banco Territorial y Agricola, in liquidation, owes a large sum of money to the Insular Treasury for deposits, and it would be beneficial for the Insular Government to obtain the final transfer of said mortgage notes, which are secured, among other mortgages, by the mortgage on the Casino de Puerto Rico, and to acquire therewith the reinforced-concrete building constructed by the Casino de Puerto Rico for a bowling alley and the lot on which the same is erected, and thereby the mortgage which encumbers the Casino de Puerto Rico would be cancelled and the Insular Government would acquire a building which would be of great use to it;

Whereas, The consent of the Legislature of Puerto Rico is required for making this transaction;

Whereas, The carrying out of this transaction is considered beneficial for the Insular Government,

Now, Therefore, *Be it resolved by the Legislature of Puerto Rico:*

SECTION 1.—The Commissioner of the Interior and the Treasurer of Puerto Rico are authorized to enter into negotiations with the entities *Casino de Puerto Rico* and *Banco Territorial y Agricola,* in liquidation, in order thereby to acquire for The People of Puerto Rico the reinforced-concrete building constructed by the Casino de Puerto Rico for a bowling alley, together with the lot on which the same is erected, to be used entirely for offices of the Insular Government. This lot is described as follows: "Quadrilateral measuring fifty-nine meters and seventeen centimeters (59.17) on the north, where it is bounded by Luis Munoz Rivera Avenue; fifty-six meters and eighty centimeters (56.80) on the south, where it is bounded by Juan Ponce de Leon Avenue; twenty meters and thirty centimeters (20.30) on the east, where it is bounded by lands of The People of Puerto Rico, and thirty-six meters and eighty centimeters (36.80) on the west, where it is bounded by the property from which the lot is segregated, that is, the property belonging to the Casino de Puerto Rico. These boundaries embrace an area of one thousand six hundred and sixty-one square meters and sixty-four square decimeters (1,661.64).

SECTION 2.—To carry out the provisions of this Act, the sum of thirty-six thousand (36,000) dollars is hereby appropriated out of any available funds in the Insular Treasury, to be reimbursed, upon the acquisition of said building and lot, to the funds which The People of Puerto Rico had, and has, in the Banco Territorial y Agricola, in liquidation.

SECTION 3.—The Treasurer of Puerto Rico is authorized to receive from the Banco Territorial y Agricola, in liquidation, as part payment of the debt which the latter has with The People of Puerto Rico, mortgage notes secured in part by the mortgage on the Casino de Puerto Rico, originally amounting to forty thousand (40,000) dollars, in the sum of thirty-six thousand (36,000) dollars, which notes are in the possession of the Treasurer of Puerto Rico, and to pay, with said mortgage notes, the Casino de Puerto Rico for the acquisition of the reinforced-concrete building constructed by said entity for a bowling alley, the mortgage of said Casino being totally cancelled by this transaction; and the bowling-alley building and the lot on which the same is erected shall become the property of the Insular Government; *Provided,* That as a condition of this transaction, the remainder of the lot which was ceded to the Casino de Puerto Rico shall be used only for non-profit purposes, as a social center and recreation park annexed thereto; *Provided, further,* That in case the Casino de Puerto Rico is dissolved, or its activities cease in any way, or the said lot is used for other purposes different from those specified in the preceding proviso, such act or acts shall determine the gratuitous reversion of said lot, as well as of all improvements and works constructed thereon, to The People of Puerto Rico; *Provided, also,* That the Commissioner of the Interior of Puerto Rico is authorized to accept the above-mentioned conditions in the corresponding deed.

SECTION 4.—The Commissioner of the Interior is authorized to execute and sign such deeds and instruments as may be necessary for the acquisi-

tion of the aforesaid building and lot, and to take charge of its maintenance as property of the Insular Government.

SECTION 5.—All laws or parts of laws in conflict herewith are hereby repealed.

SECTION 6.—This Act shall take effect ninety days after its approval.

SEC. 89, CODE OF CIVIL PROCEDURE OF PUERTO RICO (1933)

SECTION 89. The summons must be directed to the defendant, signed by the secretary, and issued under the seal of the court and must contain:

* * * * *

3. A direction that the defendant appear and answer the complaint within ten days, if the summons is served within the district in which the action is brought; * * *

* * * * *

5. In other actions [than on contracts], a notice that unless defendant so appears and answers, the plaintiff will apply to the court for the relief demanded in the complaint. * * *

EXCERPT FROM PETITION FOR REHEARING FILED BY THE PEOPLE OF PUERTO RICO, JANUARY 4, 1943

4.—A. It is true that this appellant's answer in the District Court (R. 21–22) to the petition for condemnation did not specifically raise the question here presented of the effect of the *first Proviso* in Section 3 of the Joint Resolution of April 20, 1936, but quoted only the following *second* and *third Provisos* retaining a reversionary interest for The People of Puerto Rico in case of breach

of the conditions, and that the answer specifically relied on those *second* and *third Provisos,* and that accordingly this question of the right of The People of Puerto Rico to separate compensation for its interest in the property as *cestui que trust* under the *first Proviso,*—(wholly separately from, and disregarding, its reversionary interest under the following *second Proviso* of Section 3 of the Joint Resolution),—was not specifically dwelt upon in our original "Brief for Appellant."

U. S. GOVERNMENT PRINTING OFFICE: 1943